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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, *et al.*

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Defendants.

Case No. 3:25-cv-03698-SI

**ADMINISTRATIVE MOTION TO FILE
AGENCY DECLARATIONS UNDER
SEAL**

1 Pursuant to Civil Local Rule 7-11 and 79-5(c) and this Court's May 29, 2025 Order regarding
2 the Production of Certain Discovery Documents, ECF No. 139, Defendants move to file under seal
3 unredacted copies of four agency declarations.

4 The Court in its May 29, 2025 Order directed that Defendants file "under seal where
5 appropriate" "declarations to the Court from appropriate individuals within the four agencies for which
6 defendants have already provided ARRP(s) to the Court for *in camera* review." In compliance with that
7 instruction, four agencies are submitting declarations. Per the Court's instructions, Defendants seek to
8 seal the unredacted declarations.

9 Because the information Defendants seek to seal is not being submitted in support of any
10 argument for relief on the merits, but rather to comply with the Court's Order, the "good cause" standard
11 for sealing applies. *See Ctr. for Auto Safety v. Chrysler Group, LLC*, 809 F.3d 1092, 1097 (9th Cir.
12 2016) (internal citations omitted).

13 In this case, there is good cause to protect information subject to the deliberative process
14 privilege for the reasons explained in the accompanying declarations. Defendants respectfully submit
15 that, for the reasons explained in the declarations, the ARRP(s) are categorically privileged and should be
16 withheld in full. To the extent this Court disagrees, Defendants respectfully submit proposed redactions
17 to the Court *in camera*.

18 CONCLUSION

19 Defendants respectfully request this Court grant this Motion and permit unredacted copies of the
20 following documents to be filed under seal:

- 21 1. U.S. Department of Interior's declaration describing the ARRP(s) produced *in camera* to
22 the Court and the basis for the Department's assertion of deliberative process privilege.
- 23 2. U.S. Environmental Protection Agency's declaration describing the ARRP(s) produced *in*
24 *camera* to the Court and the basis for the Agency's assertion of deliberative process privilege
- 25 3. U.S. National Science Foundation's declaration describing the ARRP(s) produced *in*
26 *camera* to the Court and the basis for the Foundation's assertion of deliberative process privilege
- 27 4. U.S. Small Business Administration's declaration describing the ARRP(s) produced *in*
28 *camera* to the Court and the basis for the Administration's assertion of deliberative process privilege.

1 DATED: June 13, 2025

Respectfully submitted,

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